

Appl. No. 10/501,320
Amdt. dated April 28, 2006
Reply to Office action of October 31, 2005

REMARKS/ARGUMENTS

A. General:

1. Claim 13 has been amended as discussed below under the §102 rejection.

2. Claims 1 - 12, 17, and 18 having been withdrawn from consideration as the result of the earlier restriction requirement, claims 13 - 16 remain under examination.

B. Objection to Specification:

The Examiner has objected to the specification because, per the Examiner, it is unclear what the percentages shown in Table I, page 7, represent.

Applicants have amended paragraph [0045] to indicate that the percentages refer to the amount of the material liberated by jogging; support is found in paragraph [0045] which states that Table 1 shows that the jogger was successful in liberating contaminants and, therefore, clearly the percentages represent the percentage of the total amount of contaminants in the parcel liberated by shaking by the jogger.

C. §102 Rejection:

The Examiner has rejected claims 13 - 16 under 35 USC §102(e) as being anticipated by Stemmler et al. (US Patent No. 6,684,682).

Applicants have amended independent claim 13 to recite that the analyzing step comprises the step of utilizing a predetermined characteristic signature comprising at least one of a threshold detection and a detection based on a Mahalanobis Distance; support is found in the specification, paragraph [0051]. Because Stemmler et al. does not disclose the use of predetermined characteristics as now recited in claim 13, Stemmler et al. cannot anticipate claim 13 or claims 14 - 16 which depend therefrom.

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D. Conclusion:

Applicant respectfully requests that a timely Notice of Allowance be issued in this case for claims 13 - 16.

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